

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANTO LANZAFAME in his fiduciary capacity as a
Trustee for the POINTERS, CLEANERS & CAULKERS
WELFARE, PENSION & ANNUITY FUNDS, and as
President of the BRICKLAYERS AND ALLIED
CRAFTWORKERS LOCAL UNION NO. 1,
B.A.C.I.U., AFL-CIO,

Plaintiffs,

-against-

TOQUIR CONTRACTING, INC., TOQUIR H.
MALIK a.k.a. MALIK TOQUIR, JANE and/or
JOHN DOE FIDUCIARY, NEW YORK STONE
COMPANY, INC. and ARCH INSURANCE
COMPANY,

Defendants.
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JUDGMENT
04-CV- 5365 (JG)

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ FEB 28 2008 ★

JP

An Order of Honorable John Gleeson, United States District Judge, having been filed on February 25, 2008, adopting the Report and Recommendation of Magistrate Judge Ramon E. Reyes, Jr., dated June 15, 2007; directing the Clerk of Court to enter judgment against defendants Toquir Contracting and Malik: (1) in the amount of \$88,463.67, comprised of \$40,201.92 in statutory damages, \$46,799.75 in attorney's fees, and \$1,462.00 in audit costs; granting plaintiffs' request for injunctive relief compelling defendants to comply with the reporting terms of the Collective Bargaining Agreements and submit to an audit of its financial records so that plaintiffs may ascertain the amount, if any, of unpaid contributions due and owing for the period of January 1, 2006 through the present; and permitting plaintiffs, upon completion of the audit and upon submission of evidentiary support, to petition the Court for an amended judgment to reflect specific amounts for damages and attorney's fees; it is

ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge Ramon E. Reyes, Jr., is adopted; that judgment is hereby entered in favor of plaintiffs, Santo Lanzafame in his fiduciary capacity as a Trustee for the Pointers, Cleaners & Caulkers Welfare, Pension & Annuity Funds, and as President of Bricklayers and Allied Craftworkers Local Union No. 1, B.A.C.I.U., AFC-CIO, and against defendants, Toquir Contracting and Toquir H. Malik a.k.a Malik Toquir, in the amount of \$88,463.67, comprised of \$40,201.92 in statutory damages, \$46,799.75 in attorney's fees, and \$1,462.00 in audit costs; and it is further,

ORDERED and ADJUDGED that plaintiffs' request for injunctive relief is granted compelling defendants to comply with the reporting terms of the Collective Bargaining Agreements and submit to an audit of its financial records so that plaintiffs may ascertain the amount, if any, of unpaid contributions due and owing for the period of January 1, 2006 through the present; and it is further,

ORDERED and ADJUDGED that upon completion of the audit and upon submission of evidentiary support, plaintiffs are permitted to petition the Court for an amended judgment to reflect specific amounts for damages and attorney's fees.

Dated: Brooklyn, New York
February 26, 2008

s/Robert C. Heinemann

ROBERT C. HEINEMANN
Clerk of Court